



#26,  
DMT  
5-14-03

PATENT  
Attorney Docket No. JHU1530-3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Worley et al. Art Unit: 1646  
Application No.: 09/245,277 Examiner: O.N. CHERNYSHEV  
Filed: February 5, 1999  
Title: IMMEDIATE EARLY GENES AND METHODS OF USE  
THEREFOR

Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, D.C. 20231

RECEIVED  
MAY 12 2003  
TECH CENTER 1600/2900

REQUEST FOR CORRECTION OF FILING RECEIPT

Sir:

This Communication is submitted to request correction of the filing receipt in reference to the above-identified application. The data requiring correction is indicated in yellow highlight on the attached copy of the filing receipt and herein in **BOLD**.

Please change the DOCKET NO. from "10496/005001" to **-JHU1530-3-**. Please change the status from "Large" to **-SMALL ENTITY-**.

Applicants accordingly request the correction be made of record.

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, 4-17-03, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231

Julia M. Nejar  
(Name of Person mailing Paper)

[Signature]  
(Signature of Person Mailing Paper)

4-17-03  
Date

In re Application of:  
Worley et al.  
Application No.: 09/245,277  
Filed: February 5, 1999  
Page 2

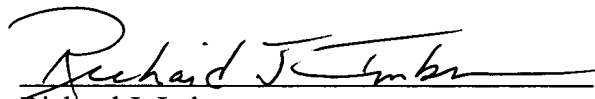
PATENT  
Attorney Docket No.: JHU1530-3

No fee is deemed necessary in connection with the filing of this paper. However, if any fee is required, the Commissioner is hereby authorized to charge the amount of this fee, or credit any overpayments, to Deposit Account No. 50-1355.

Respectfully submitted,

Date:

April 17, 2003



Richard J. Imbra

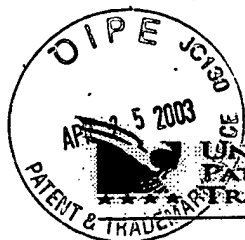
Registration No. 37,643

Telephone: (858) 677-1496

Facsimile: (858) 677-1465

**USPTO CUSTOMER NO. 28213**

GRAY CARY WARE & FREIDENRICH LLP  
4365 Executive Drive, Suite 1100  
San Diego, California 92121-2133



Page 1 of 2  
E C E I V E D  
MAR 04 2003

Commissioner for Patents  
Washington, DC 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/245,277	02/05/1999	1646	2097	<del>10496/005001</del>		43	13

-- JH1530-3 --

CONFIRMATION NO. 4724

CORRECTED FILING RECEIPT



\*OC000000009571432\*

Lisa A Haile  
Gray Cary Ware & Freidenrich LLP  
Suite 1600  
4365 Executive Drive  
San Diego, CA 92121-2189

PATENT DOCKETING

MAR 04 2003

Date Mailed: 02/27/2003

Receipt is acknowledged of a CPA in this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

PAUL P. WORLEY, BALTIMORE, MD;  
ANTHONY LANAHAN, BALTIMORE, MD;

**Domestic Priority data as claimed by applicant**

This appln claims benefit of 60/074,518 02/12/1998  
and claims benefit of 60/074,135 02/09/1998

**Foreign Applications**

If Required, Foreign Filing License Granted: 03/02/1999

CPA filed on: 02/13/2003

Projected Publication Date: 06/05/2003

N n-Publication Request: No

Early Publication Request: No

-- SMALL ENTITY --  
Title

IMMEDIATE EARLY GENES AND METHODS OF USE THEREFOR

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**Preliminary Class**

424

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

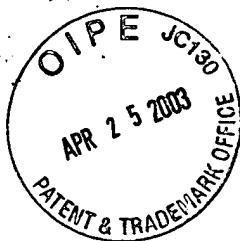
The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



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OJ 858-677-1456  
FJ 858-677-1465

February 13, 2003

ATTORNEY DOCKET No. JHU1530-3

ATTN: BOX CPA  
Commissioner for Patents  
Washington, D.C. 20231

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MAY 12 2003

TECH CENTER 1600/2900

This paper is a request for a **Continued Prosecution Application** under 37 C.F.R. § 1.53(d) of:

Applicant: **PAUL P. WORLEY and ANTHONY LANAHAN**  
Title: **IMMEDIATE EARLY GENES AND METHODS OF USE THEREFOR**  
Prior U.S. Application No.: **09/245,277**  
Filing date: **February 5, 1999**

The prior application is complete as defined by 37 C.F.R. § 1.51(b), or is a national stage of an international application filed in compliance with 35 U.S.C. § 371.

This request for a CPA is the reference to the prior application noted above as required by 35 U.S.C. § 120. Kindly abandon the prior application in favor of the continued proceedings that are requested herein.

The prior application is assigned of record to The Johns Hopkins University School of Medicine, by virtue of an Assignment submitted to the Patent and Trademark Office for recording July 1, 1999, at reel 010064, frame number 0489.

EXPRESS MAIL Number: EV 047 301 706 US

Date of Deposit: FEBRUARY 13, 2003

I hereby certify that this paper is being deposited with the United States Postal Service "EXPRESS MAIL Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: ATTN: BOX CPA, Commissioner for Patents, Washington, D.C. 20231

**MIKHAIL BAILEY**

(Name of Individual Depositing with P.O.)

*Mikhail Bailey*  
(Signature of Individual Depositing with P.O.)

SILICON VALLEY SAN DIEGO SAN FRANCISCO AUSTIN SEATTLE SACRAMENTO LA JOLLA WASHINGTON, DC

ATTORNEY DOCKET No.: JHU1530-3

BOX CPA

February 13, 2003

Page Two

This request includes THREE sheets and the following:

- Preliminary Amendment (7 pages)
- Check No. 529860 in the amount of \$453.00
- Return Postcard

The entire disclosure of the prior application is considered as being part of the disclosure of accompanying application and is incorporated by reference.

Applicants claim small entity status in the above-identified application. Pursuant to 37 C.F.R. § 1.27, a verified statement claiming small entity status is not required.

The filing fee has been calculated as follows.

For	Claims Remaining After Amendment	Highest Number Previously Paid For	Extra Claims	Small Entity Rate	Large Entity Rate	Calculations
Total Claims	47	43	4	x \$09	x \$18	\$36.00
Independent Claims	14	13	1	x \$42	X \$84	\$42.00
Multiple Claims				\$140	\$280	\$ 0.00
Basic Filing Fee				\$370	\$740	\$375.00
					TOTAL FEE	\$453.00

Enclosed is Check No. 529860 in the amount of \$453.00 which includes \$375.00 as the basic CPA filing fee; \$36.00 as fee for the four additional claims; and \$42.00 for one additional independent claims. The Commissioner is hereby authorized to charge the extra claim fees and any other fees that may be associated with this communication, or credit any overpayment to Deposit Account No. 50-1355. A copy of the Transmittal Letter is enclosed.

GRAY CARY WARE & FREIDENRICH LLP

ATTORNEY DOCKET NO.: JHU1530-3

BOX CPA

February 13, 2003

Page Three

If this application is found to be INCOMPLETE, or if a telephone conference would otherwise be helpful, please call the undersigned at (858) 677-1456.

Kindly acknowledge receipt of this application by returning the enclosed postcard.

All future correspondence should be addressed to:

**Lisa A. Haile, J.D., Ph.D.**

**GRAY CARY WARE & FREIDENRICH LLP**

4365 Executive Drive, Suite 1100

San Diego, CA 92121-2133

Telephone: (858) 677-1456

Facsimile: (858) 677-1465

Respectfully submitted,

**GRAY CARY WARE & FREIDENRICH LLP**



Lisa A. Haile, J.D., Ph.D.

Registration No. 38,347

February 13, 2003

Date

**GRAY CARY WARE & FREIDENRICH LLP**

4365 Executive Drive, Suite 1100

San Diego, California 92121-2133

**USPTO Customer Number 28213**

Enclosure

KKR/kdl



Receipt  
CPA

PATENT  
Attorney Docket No. JHU1530-3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Worley et al. Art Unit: 1646  
Application No.: 09/245,277 Examiner: O.N. CHERNYSHEV  
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THEREFOR

Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, D.C. 20231

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TECH CENTER 1600/2900

TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing in connection with the above-identified patent application,  
please find the following:

- (1) Request for Corrected Filing Receipt; (2 pgs)
- (2) Copy of Filing Receipt reflecting changes; (2 pgs)
- (3) Copy of Patent Application Transmittal Letter; (3 pgs) and
- (4) Return postcard.

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are  
being deposited with the United States Postal Service as first class  
mail on this date, 4-17-03, in an envelope addressed to:  
Commissioner for Patents, Washington, D.C. 20231

Yulia U. N. N. N.  
(Name of Person mailing Paper)

[Signature]  
(Signature of Person Mailing Paper)

4-17-03  
Date

In re Application of:

Worley et al.

Application No.: 09/245,277

Filed: February 5, 1999

Page 2

PATENT

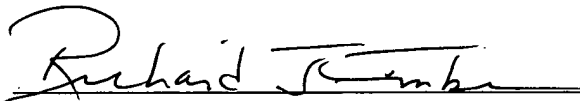
Attorney Docket No.: JHU1530-3

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Respectfully submitted,

Date:

April 17, 2003



Richard J. Imbra

Registration No. 37,643

Telephone: (858) 677-1496

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**USPTO CUSTOMER NO. 28213**

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